

United States District Court

for

Middle District of Alabama

**Request for Modifying the Conditions or Term of Supervision
with Consent of the Offender**

(Probation Form 49, Waiver of Hearing is Attached)

Name of Offender: Grace Nicole Pettway

Case Number: 2:06CR28-WKW

Name of Sentencing Judicial Officer: The Honorable W. Keith Watkins, U.S. District Judge

Date of Original Sentence: August 7, 2006

Original Offense: Theft of Government Property

Original Sentence: 3 years probation

Type of Supervision: Probation

Date Supervision Commenced: August 7, 2006

PETITIONING THE COURT

- ☐ To extend the term of supervision for __ years, for a total term of __ years.
☒ To modify the conditions of supervision as follows:

The defendant shall participate in the Home Confinement Program for a period of three (3) months to begin at a time designated by the probation officer. During this time, the defendant will remain at her place of residence except for employment and other activities approved in advance by the probation officer. The defendant will maintain a telephone at her residence, without a modem, "call forwarding", "Caller ID", "call waiting", or portable cordless telephones, for the above period. At the direction of the probation officer, the defendant shall wear an electronic monitoring device and follow electronic procedures specified by the probation officer.

CAUSE

On August 28, 2007, USPO David Conoly reported that Grace Pettway admitted using marijuana on or about August 9, 2007. Pettway was reprimanded and the frequency of her urinalysis tests were increased. Accordingly, the probation officer requested the Court take no further action regarding this violation. On September 7, 2007, the Court agreed with the probation officer's recommendation and ordered no action be taken. However, since her use of marijuana in August 2007, Pettway has failed to appear for seven scheduled urinalysis tests. This issue was discussed with her and she apologized for her irresponsible behavior.

Considering Pettway has satisfied her \$2,000 restitution obligation and has otherwise been compliant, the probation officer believes that a modification for home confinement with electronic monitoring is appropriate to address the current violations and will hopefully convince Pettway to modify her behavior. Pettway has agreed to the modification and signed Probation Form 49 waiving her right to assistance of counsel and to a hearing.

Respectfully submitted,

by /s/ David A. Conoly
David A. Conoly
U.S. Probation Officer
Date: March 10, 2008

Reviewed and approved: /s/ David Ron Thweatt
David Ron Thweatt
Supervisory U.S. Probation Officer

THE COURT ORDERS:

- ☐ No Action
- ☐ The Extension of Supervision as Noted Above
- ☒ The Modification of Conditions as Noted Above
- ☐ Other

/s/ W. Keith Watkins
UNITED STATES DISTRICT JUDGE

March 18, 2008
Date